

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

KENNETH S. CANNON,)	
)	
Plaintiff,)	
)	JUDGMENT IN A
v.)	CIVIL CASE
)	CASE NO. 5:19-CV-373-D
WAL-MART ASSOCIATES, INC., and)	
WAL-MART STORES EAST L.P.,)	
)	
Defendants.)	

Decision by Court. This action came before this Court for ruling as follows.

IT IS ORDERED, ADJUDGED, AND DECREED that the court GRANTS IN PART Wal-Mart's motion to dismiss for lack of subject matter jurisdiction and failure to state a claim [D.E. 27], GRANTS Wal-Mart's motion to dismiss for failure to join the real party in interest [D.E. 31], GRANTS IN PART Wal-Mart's motion for summary judgment regarding judicial estoppel and DENIES AS MOOT the remainder of the motion [D.E. 34], DENIES AS MOOT Wal-Mart's motions to disqualify Emanuel & Dunn [D.E. 27] and to exclude Laura Juel's expert testimony [D.E. 54], and DENIES AS MOOT Cannon's motion for extension of time for discovery and for additional depositions [D.E. 29]. Wal-Mart may file a motion for costs in accordance with the Federal Rules of Civil Procedure and this court's local rules.

This Judgment Filed and Entered on September 10, 2021, and Copies To:

Stephen A. Dunn	(via CM/ECF electronic notification)
S. Michael Dunn	(via CM/ECF electronic notification)
Julie Kerr Adams	(via CM/ECF electronic notification)

DATE:
September 10, 2021

PETER A. MOORE, JR., CLERK
(By) /s/ Nicole Sellers
Deputy Clerk